REMARKS

Claims 1-26 and 29-33 of the present application are pending. Claims 1-6, 8-12, 14-18, 20-23, 25, 26, and 29-33 stand rejected under 35 USC §103(a) as being unpatentable over United States Pat. No. 5,071,108, issued to Houghton et al. (hereinafter Houghton) in view of German Pat. No. DE 196 26 330 issued to Froehlich et al. (herein after Froehlich). In addition, claims 7, 13, 19, and 24 stand rejected under 35 USC §103(a) as being unpatentable over Houghton in view of Froehlich in further view of United States Pat. No. 5,779,010, issued to Nelson (hereinafter Nelson). For the reasons set forth below the Applicants respectfully traverse the rejections to the pending claims and submit that all the claims pending in the present application are in condition for allowance and allowance is respectfully requested.

To establish a prima facie case of obviousness, three basic criteria must be met by the Examiner. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the teaching of the references. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (see MPEP §2143.03).

Claim 1 of the present application is directed to a vibration isolator and includes a housing that has an outer non-circular seat and an inner chamber, a support plate that has a non-circular shoulder that seats within the non-circular seat of the housing and can move in an axial direction relative to the housing wherein the non-circular support plate shoulder seats within the non-circular seat of the housing and prevents rotation of the support plate when the inner chamber is deflated, and a vibration isolator coupled to the support plate.

In contrast, Houghton is directed to a pneumatic vibration isolator including a chamber containing compressed gas and recites an operating piston displaced by vibrations relative to the chamber, means for automatically centering the operating

piston during deflation of the chamber, means for automatically centering the operating piston upon inflation of the chamber with compressed gas, and means for suspending operation of both of the means for automatically centering the operating piston during vibration isolation by the operating piston. Unlike the device of claim 1, Houghton fails to teach or suggest a housing that has an outer non-circular seat and an inner chamber and a support plate that has a non-circular shoulder that seats within the non-circular seat of the housing and can move in an axial direction relative to the housing wherein the non-circular support plate shoulder seats within the non-circular seat of the housing and prevents rotation of the support plate when the inner chamber is deflated. As such, the Applicants respectfully submit that Houghton fails to teach or suggest all the limitations of claim 1 in accordance with MPEP §2143.03. For at least the same reasons the Applicants respectfully submit that claims 2-6 and 29, which depend on claim 1, are similarly allowable over Houghton.

Froehlich is directed to a universal measurement flange for facilitating pressure measurements on a high pressure (i.e. 3000psi-6000psi) hydraulic system. During use, the device recited in Froehlich is inserted into a high pressure flow environment within a pipe or lumen. Thereafter, a number of studs coupled to the flange are tightened thereby locking the device in place within the lumen. The device includes a measuring flange (12) having a central bore (13) formed therethrough. In one embodiment, the measuring flange (13) is square and configured to be self-centering within the lumen or passage. Unlike the claim 1 of the present application, Froehlich fails to teach or suggest a support plate that has a non-circular shoulder that seats within the non-circular seat of the housing and can move in an axial direction relative to the housing wherein the non-circular support plate shoulder seats within the non-circular seat of the housing and prevents rotation of the support plate when the inner chamber is deflated, and a vibration isolator coupled to the support plate. As such, the Applicants respectfully submit that Froehlich fails to teach or suggest all the limitations of claim 1 in accordance with MPEP §2143.03. For at least the same reasons the Applicants respectfully submit that claims 2-6 and 29, which depend on claim 1, are similarly allowable over Froehlich.

Further, the Applicants respectfully submit that Houghton and Froehlich, when combined, fail to teach or suggest all the limitations of claim 1 in accordance with MPEP §2143.03. More specifically, Houghton and Froehlich fail to disclose a support plate that has a non-circular shoulder that seats within the non-circular seat of the housing and can move in an axial direction relative to the housing wherein the non-circular support plate shoulder seats within the non-circular seat of the housing and prevents rotation of the support plate when the inner chamber is deflated, and a vibration isolator coupled to the support plate. As such, the Applicants respectfully submit that claim 1 is patentable over Houghton and Froehlich. For at least the same reasons, the Applicants respectfully submit that claims 2-6 and 29, which depend from claim 1, are also allowable.

Further, the Applicants respectfully submits that the Examiner has failed to provide a motivation to modify or combine the teaches of Houghton with the teaching of Froehlich in order to make the rejection to claims 1-6 and 29 as required by MPEP §2143.03. Houghton is directed to pneumatic vibration isolation systems while Froehlich is directed to hydraulic flow measuring devices used in mining. As stated above, with regard to 35 USC §103(a) the MPEP §2143.03 states "First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the teachings of the references. Second, there must be a reasonable expectation of success." The Applicants respectfully submit that the Examiner has used impermissible hindsight to recreate the Applicant's invention. Further, the Applicants respectfully submit that, despite the lack of motivation to combine the cited references, a combination of Houghton and Froehlich would not produce a successful device as recited in claims 1-6 and 29 of the present application.

Claims 8-12 and 30 stand rejected under 35 USC §103(a) as being unpatentable over Houghton in view of Froehlich. The Applicants respectfully submit that the rejection to claims 8-12 and 30 must fails for at least the same reasons the rejection to

claims 1-6 and 29 failed. More specifically, Houghton and Froehlich, either alone or in combination, fail to teach or suggest all the limitations of claim 8-12 and 30. Neither Houghton nor Froehlich disclose a support plate that can move in an axial direction relative to the housing, a piston that has a non-circular outer surface that seats within said non-circular seat of the housing and prevents rotation of the support plate when the inner chamber is inflated. Further, the Applicants respectfully submit that the Examiner has failed to provide a motivation to modify or combine the teachings of Houghton with the teaching of Froehlich in order to make the rejection to claims 8-12 and 30 as required by MPEP §2143.03.

Claims 14-18 and 31 stand rejected under 35 USC §103(a) as being unpatentable over Houghton in view of Froehlich. The Applicants respectfully submit that the rejection to claims 14-18 and 31 must fails for at least the same reasons the previous rejections to claims failed as discussed above. More specifically, Houghton and Froehlich, either alone or in combination, fail to teach or suggest all the limitations of claim 14-18 and 31. Neither Houghton nor Froehlich disclose a support plate that can move in an axial direction relative to the housing, the support plate has means for seating the support plate with the outer alignment means of the housing so that the support plate does not rotate when the inner chamber is deflated, and a vibration isolator coupled to the support plate. Further, the Applicants respectfully submit that the Examiner has failed to provide a motivation to modify or combine the teachings of Houghton with the teaching of Froehlich in order to make the rejection to claims 14-18 and 31 as required by MPEP §2143.03.

Claims 20-23 and 32 stand rejected under 35 USC §103(a) as being unpatentable over Houghton in view of Froehlich. The Applicants respectfully submit that the rejection to claims 20-23 and 32 must fails for at least the same reasons the previous rejections to claims failed as discussed above. More specifically, Houghton and Froehlich, either alone or in combination, fail to teach or suggest all the limitations of claim 20-23 and 32. Neither Houghton nor Froehlich disclose a piston that can move in an axial direction, the piston has alignment means for seating the

piston with the inner alignment means of the housing so that the piston does not rotate when the inner chamber is inflated, and a vibration isolator coupled to the piston and the support plate. Further, the Applicants respectfully submit that the Examiner has failed to provide a motivation to modify or combine the teachings of Houghton with the teaching of Froehlich in order to make the rejection to claims 20-23 and 32 as required by MPEP §2143.03.

Claims 25, 26, and 33 stand rejected under 35 USC §103(a) as being unpatentable over Houghton in view of Froehlich. The Applicants respectfully submit that the rejection to claims 25, 26, and 33 must fails for at least the same reasons the previous rejections to claims failed as discussed above. More specifically, Houghton and Froehlich, either alone or in combination, fail to teach or suggest all the limitations of claims 25, 26, and 33. Neither Houghton nor Froehlich disclose releasing a fluid from a housing of a vibration isolator such that a support plate becomes seated within a non-circular seat of the housing and cannot rotate, the support plate being coupled to a vibration isolator. Further, the Applicants respectfully submit that the Examiner has failed to provide a motivation to modify or combine the teachings of Houghton with the teaching of Froehlich in order to make the rejection to claims 25, 26, and 33 as required by MPEP §2143.03.

Claims 7, 13, 19, and 24 stand rejected under rejected under 35 USC §103(a) as being unpatentable over Houghton in view of Froehlich in further view of Nelson. Houghton and Froehlich have been discussed in detail above. Nelson is directed to a horizontal frequency vibration isolator and includes an air chamber which vertically supports a payload, the air chamber secured to the payload, said chamber having a depending wall, means to introduce air into the air chamber, and a pendulum having a longitudinal axis, the pendulum having an upper end flexibly secured to the chamber wall by a diaphragm, the pendulum having a lower end flexibly suspended by pendulum wires, which wires are attached to a leg which is grounded, the pendulum wires angled with reference to the longitudinal axis of the pendulum to impart to the isolator a designed horizontal stiffness. Like Houghton, Nelson fails to teach or

suggest a device or method to limit rotation of the pendulum during use. As such, like Houghton, Nelson cannot prevent this unwanted rotational effect during use. As a result, Houghton, Froehlich, and Nelson, either alone or when read in combination, fail to teach or suggest all the claim limitations recited in claims 7, 13, 19, and 24 of the present application in accordance with MPEP §2143.03. Further, the Applicants respectfully submit that the Examiner has failed to provide a motivation to modify or combine the teachings of Houghton with the teaching of Froehlich and Nelson in order to make the rejection to claims 7, 13, 19, and 24 as required by MPEP §2143.03.

In view of the foregoing, the Applicants respectfully submit that all the claims of the present application are in condition for allowance. Reconsideration and early allowance are respectfully and sincerely solicited. If the Examiner feels for any reason that direct contact with Applicant's attorney will advance the prosecution of this case to finality, the Examiner is invited to contact the undersigned at the number given below.

CONCLUSION

It is submitted that the present application is in form for allowance, and such action is respectfully requested. The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 50-3411.

Respectfully submitted,
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Dated: November 15, 2005

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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on November 15, 2005.

Susan Langworthy